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9 UNITED STATES OF AMERICA

10  
11 UNITED STATES DISTRICT COURT  
12 CENTRAL DISTRICT OF CALIFORNIA  
13 SOUTHERN DIVISION  
14

15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17 v.  
18 ARNOLDO MERAZ,  
19 Defendant.

Case No. SA CR 22-184-JWH  
PLEA AGREEMENT FOR DEFENDANT  
**ARNOLDO MERAZ**

[21 U.S.C. § 841(a)(1)]

20  
21  
22 1. This constitutes the plea agreement between ARNOLDO MERAZ  
23 ("defendant") and the United States Attorney's Office for the  
24 Central District of California ("the USAO") in the above-captioned  
25 case. This Agreement is limited to the USAO and cannot bind any  
26 other federal, state, local, or foreign prosecuting, enforcement,  
27 administrative, or regulatory authorities.  
28

**DEFENDANT'S OBLIGATIONS**

2. Defendant agrees to:

(a) Give up the right to indictment by a grand jury and, at the earliest opportunity requested by the USAO and provided by the Court, appear and plead guilty to all counts charged in the five-count First Superseding Information attached hereto as Exhibit "A" or a substantially similar form, which charges defendant with the following felony offenses: (1) three counts of Possession with Intent to Distribute Fentanyl, in violation of 21 U.S.C.

§§ 841(a)(1) and (b)(1)(A)(vi), (B)(vi), or (C); and (2) two counts Possession with Intent to Distribute Cocaine (two counts), in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C).

(b) Not contest facts agreed to in this Agreement.

(c) Abide by all agreements regarding sentencing contained in this Agreement.

(d) Appear for all court appearances, surrender as ordered for service of sentence, obey all conditions of any bond, and obey any other ongoing court order in this matter.

(e) Not commit any crime; however, offenses that would be excluded for sentencing purposes under United States Sentencing Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not within the scope of this Agreement.

(f) Be truthful at all times with the Court and the United States Probation and Pretrial Services Office (hereafter, the "United States Probation Office").

(g) Pay the applicable special assessments at or before the time of sentencing unless defendant lacks the ability to pay.

(h) Agree to imposition of the following condition of supervised release, which defendant agrees is clear and reasonably related and necessary to achieve the sentencing goals of specific deterrence and protecting the public:

Defendant shall submit his person and property — including any residence, vehicle, containers, papers, effects, and computers, cellular telephones, and other electronic communication or digital storage devices and social media accounts, under his control — to search and seizure at any time of the day or night by any law enforcement officer or probation officer, with or without a warrant, probable cause, or reasonable suspicion.

#### **USAO'S OBLIGATIONS**

3. The USAO agrees to:

(a) Not contest facts agreed to in this Agreement.

(b) Abide by all agreements regarding sentencing contained in this Agreement.

(c) At the time of sentencing, provided that defendant demonstrates an acceptance of responsibility for the offenses up to and including the time of sentencing, recommend a two-level reduction in the applicable Sentencing Guidelines offense level, pursuant to U.S.S.G. § 3E1.1, and recommend and, if necessary, move for an additional one-level reduction if available under that section.

(d) Subject to the mandatory minimum, recommend that defendant be sentenced to a total term of imprisonment at the low end of the applicable Sentencing Guidelines range, provided that the Total Offense Level used by the Court to determine that range is 31 or higher and provided that the Court does not depart downward in

1 Offense Level or Criminal History Category. (For purposes of this  
 2 Agreement, the low-end of the Sentencing Guidelines range is that  
 3 defined by the Sentencing Table in U.S.S.G. Chapter 5, Part A.)

4 (e) At the sentencing hearing, move to dismiss the  
 5 previously-filed Indictment. Defendant agrees, however, that at the  
 6 time of sentencing the Court may consider the offense conduct  
 7 referenced in the dismissed Indictment when determining the  
 8 applicable Sentencing Guidelines range, the propriety and extent of  
 9 any departure from that range, and the sentence to be imposed after  
 10 consideration of the Sentencing Guidelines and all other relevant  
 11 factors under 18 U.S.C. § 3553(a).

#### 12 NATURE OF THE OFFENSES

13 4. Defendant understands that for defendant to be guilty of  
 14 the crimes charged in Counts ONE, TWO, and FOUR of the First  
 15 Superseding Information to be filed in this case, that is,  
 16 Possession with Intent to Distribute Fentanyl, in violation of 21  
 17 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi), (B)(vi), or (C), the  
 18 following must be true:

19 (1) defendant knowingly possessed fentanyl; and

20 (2) defendant possessed it with the intent to

21 distribute it to another person.<sup>1</sup>

22 Defendant also understands that, in order to be subject to the  
 23 statutory maximum and statutory minimum sentences applicable set

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24  
 25 <sup>1</sup> As to all five counts, it does not matter whether the  
 26 defendant knew that the substance was the specific controlled  
 27 substance alleged in the count; it is sufficient that the defendant  
 28 knew that it was some kind of a federally controlled substance. An  
 "intent to distribute" a controlled substance means an intent to  
 deliver or transfer possession of the controlled substance to  
 another person, with or without any financial interest in the  
 transaction. See 9th Cir. Model Crim. Instr. 12.1.

1 forth below, it must also be true as to Count ONE that defendant  
2 possessed with intent to distribute at least 400 grams of fentanyl,  
3 and it must also be true as to Count TWO that defendant possessed  
4 with intent to distribute at least 40 grams of fentanyl.

5 5. Defendant understands that for defendant to be guilty of  
6 the crimes charged in Counts THREE and FIVE of the First Superseding  
7 Information to be filed in this case, that is, Possession with  
8 Intent to Distribute Cocaine, in violation of 21 U.S.C.  
9 §§ 841(a)(1), (b)(1)(C), the following must be true:

10 (1) defendant knowingly possessed cocaine; and

11 (2) defendant possessed it with the intent to  
12 distribute it to another person.

#### 13 PENALTIES

14 6. Defendant understands that the statutory maximum sentence  
15 that the Court can impose for Count ONE of the First Superseding  
16 Information, in violation of 21 U.S.C. §§ 841(a), (b)(1)(A)(vi), is  
17 as follows: life imprisonment; a life-term of supervised release  
18 (which term must be at least 5-years); a fine of \$10,000,000; and a  
19 mandatory special assessment of \$100. The statutory maximum  
20 sentence that the Court can impose for Count TWO of the First  
21 Superseding Information, in violation of 21 U.S.C. §§ 841(a),  
22 (b)(1)(B)(vi), is as follows: 40 years' imprisonment; a life-term of  
23 supervised release (which term must be at least 4-years); a fine of  
24 \$5,000,000; and a mandatory special assessment of \$100. The  
25 statutory maximum sentence that the Court can impose for Counts  
26 THREE, FOUR, and FIVE of the First Superseding Information, in  
27 violation of 21 U.S.C. §§ 841(a), (b)(1)(C), is as follows:  
28 20 years' imprisonment; a life-term of supervised release (which

1 term must be at least 3-years); a fine of \$1,000,000; and a  
2 mandatory special assessment of \$100. Therefore, the total  
3 statutory maximum sentence that the Court can impose for all five  
4 counts of the First Superseding Information is as follows: life  
5 imprisonment; a life-term of supervised release (which term must be  
6 at least 5-years); a fine of \$18,000,000; and a mandatory special  
7 assessment of \$500.

8 7. Defendant understands that, absent a finding by the Court  
9 that defendant is "safety-valve" eligible under 18 U.S.C. § 3553(f),  
10 the statutory mandatory minimum sentence that the Court must impose  
11 for Count ONE, pursuant to 21 U.S.C. §§ 841(b)(1)(A)(vi), is as  
12 follows: 10-years' imprisonment and a 5-year term of supervised  
13 release. Likewise, absent a finding by the Court that defendant is  
14 "safety-valve" eligible under 18 U.S.C. § 3553(f), the statutory  
15 mandatory minimum sentence that the Court must impose for Count TWO,  
16 pursuant to 21 U.S.C. §§ 841(b)(1)(B)(vi), is as follows: 5-years'  
17 imprisonment and a 4-year term of supervised release. Because the  
18 minimum terms of imprisonment do not stack (i.e., need not be run  
19 consecutively), the total statutory mandatory minimum sentence that  
20 the Court must impose (absent "safety-valve" eligibility) for all of  
21 the counts to which defendant is pleading guilty is: 10-years'  
22 imprisonment and a 5-year term of supervised release, along with the  
23 \$500 mandatory special assessment.

24 8. Defendant understands that, under 21 U.S.C. § 862a,  
25 defendant may not be eligible for assistance under state programs  
26 funded under the Social Security Act or Federal Food Stamp Act or  
27 for federal food stamp program benefits, and that any such benefits  
28

1 or assistance received by defendant's family members will be reduced  
2 to reflect defendant's ineligibility.

3 9. Defendant understands that supervised release is a period  
4 of time following imprisonment during which defendant will be  
5 subject to various restrictions and requirements. Defendant  
6 understands that if defendant violates one or more of the conditions  
7 of supervised release imposed, defendant may be returned to prison  
8 for all or part of the term of supervised release authorized by  
9 statute for the offenses that resulted in the term of supervised  
10 release.

11 10. Defendant understands that, by pleading guilty, defendant  
12 may be giving up valuable government benefits and valuable civic  
13 rights, such as the right to vote, the right to possess a firearm,  
14 the right to hold office, and the right to serve on a jury.  
15 Defendant understands that he is pleading guilty to felony offenses  
16 and that it is a federal crime for a convicted felon to possess a  
17 firearm or ammunition. Defendant understands that the convictions  
18 in this case may also subject defendant to various other collateral  
19 consequences, including, but not limited to, the revocation of  
20 probation, parole, or supervised release that may have been imposed  
21 on defendant in connection with a prior case (if any) and suspension  
22 or revocation of a professional license. Defendant understands that  
23 unanticipated collateral consequences will not serve as grounds to  
24 withdraw defendant's guilty pleas.

25 11. Defendant understands that if defendant is not a United  
26 States citizen, the convictions in this case make it practically  
27 inevitable and a virtual certainty that defendant will be removed or  
28 deported from the United States. Defendant may also be denied

1 United States citizenship and admission to the United States in the  
2 future. Defendant understands that while there may be arguments  
3 that defendant can raise in immigration proceedings to avoid or  
4 delay removal, removal is presumptively mandatory and a virtual  
5 certainty in this case. Defendant further understands that removal  
6 and immigration consequences are the subject of a separate  
7 proceeding and that no one, including his attorney or the Court, can  
8 predict to an absolute certainty the effect of the convictions in  
9 this case on defendant's immigration status. Defendant nevertheless  
10 affirms that he wants to plead guilty regardless of any immigration  
11 consequences that his pleas may entail, even if the consequence is  
12 automatic removal from the United States. Defendant further  
13 understands that any such adverse immigration consequences will not  
14 serve as grounds to withdraw defendant's guilty pleas.

15 **FACTUAL BASIS**

16 12. Defendant admits that defendant is, in fact, guilty of the  
17 offenses to which defendant is agreeing to plead guilty. Defendant  
18 and the USAO agree that the following statement of facts is accurate  
19 and sufficient to support the guilty pleas to the charges described  
20 in this Agreement and to establish the Sentencing Guideline factors  
21 set forth below, but is not meant to be a complete recitation of all  
22 facts relevant to the underlying criminal conduct or all facts known  
23 to either party that relate to that conduct.

24 a) On September 30, 2022, in Orange County,  
25 within the Central District of California, defendant  
26 knowingly and intentionally possessed with intent to  
27 distribute approximately 436.6 grams of fentanyl  
28 (also known as N-phenyl-N-[1-(2-phenylethyl)-4-



1 Piperidinyll] propanamide), a Schedule II narcotic  
2 drug controlled substance. The fentanyl was in the  
3 form of approximately 3,978 blue "M-30" pills, which  
4 were held in multiple plastic baggies and stored in  
5 concealed compartments in fake household-good  
6 containers (e.g., a jug of "Clorox bleach," cannister  
7 of "Lysol wipes," etc.). Defendant possessed the  
8 fentanyl pills in his car. Along with the fentanyl  
9 pills, defendant also knowingly possessed the  
10 following items, which he admits are indicia of his  
11 drug-trafficking activities and intent to distribute:  
12 over a hundred of clear plastic baggies for use in  
13 packaging drugs for sale to others; a digital scale;  
14 298 tablets of a Xanax-type substance; and  
15 approximately \$6,000 in drug-sale proceeds.

16 b) On or about November 28, 2022, in the City  
17 of Santa Ana, within the Central District of  
18 California, defendant knowingly and intentionally  
19 possessed with intent to distribute approximately  
20 49.03 grams of fentanyl (also known as N-phenyl-N-[1-  
21 (2-phenylethyl)-4-Piperidinyll] propanamide). The  
22 fentanyl was in the form of approximately 447 blue  
23 "M-30" pills and 0.63 grams of powder, which were in  
24 small clear plastic baggies that were all stored in a  
25 larger clear, zip-lock baggie. Defendant stored the  
26 fentanyl in the hotel safe for his room (Room 1022)  
27 at the Embassy Suites Hotel, located at 1325 E. Dyer  
28 Road, Santa Ana, CA 92705. Inside the safe,

1 defendant also possessed a fake "Ajax" bleach bottle  
2 with a false bottom, which he used to conceal  
3 narcotics.

4 c) On December 5, 2022, in the City of  
5 Orange, within the Central District of California,  
6 defendant knowingly and intentionally possessed with  
7 intent to distribute approximately 16.85 grams of  
8 cocaine, a Schedule II narcotic drug controlled  
9 substance. While at the Best Western Hotel located  
10 at 720 The City Drive South, Orange, CA, defendant  
11 knowingly possessed the cocaine in a clear plastic  
12 baggie located in defendant's car. Along with the  
13 cocaine, defendant also knowingly possessed the  
14 following items, which he admits are indicia of his  
15 drug-trafficking activities and intent to  
16 distribute: nine blue "M-30" fentanyl pills  
17 (contained in three small baggies), a digital scale  
18 covered with a white powdery substance consistent  
19 with cocaine, and \$416 in cash. In his car, at the  
20 same time and place, defendant also knowingly  
21 possessed a 9mm semi-automatic handgun, loaded with  
22 five 9mm rounds, which he had under the front  
23 passenger seat of his car.

24 d) On December 19, 2022, in the City of Santa  
25 Ana, within the Central District of California,  
26 defendant knowingly and intentionally possessed with  
27 intent to distribute approximately 11.19 grams of  
28 fentanyl (SN-phenyl-N-[1-(2-phenylethyl)-4-

1 Piperidinyll)), and approximately 14.15 grams of  
2 cocaine. The fentanyl was in the form of  
3 approximately 104 blue "M-30" pills. The cocaine and  
4 most of the fentanyl pills were in multiple plastic  
5 baggies on defendant's person at the time of his  
6 arrest, with a small number of the pills found in his  
7 car and hotel room at the La Quinta Hotel, located  
8 2721 Hotel Terrace Drive, Santa Ana, CA. In his  
9 hotel room, defendant also possessed a digital scale,  
10 which he used to weigh drugs for sale to others.

11 e) In and around 2022, defendant used Snapchat  
12 accounts to advertise the availability of cocaine and  
13 fentanyl pills for sale. Two such accounts were  
14 "Arnoldo\_8286" and "Ylk Products." For example, on  
15 December 13, 2022, when he had a new supply of  
16 fentanyl-laced "blues"/"M-30" pills, defendant used  
17 his "Ylk Product" Snapchat account to advertise that  
18 fact, as follows: "A1 [Blue Pill]s batch back in!!  
19 [Fire icon]. MOBILE ALL DAY. HMU [Hit Me Up] B4  
20 THEY GONE!!" Defendant also used cellphones in  
21 furtherance of his drug-trafficking activities.

#### 22 **SENTENCING FACTORS**

23 13. In determining defendant's sentence, the Court is required  
24 to calculate the applicable Sentencing Guidelines range and to  
25 consider that range, possible departures under the Sentencing  
26 Guidelines, and the other sentencing factors set forth in 18 U.S.C.  
27 § 3553(a). Defendant understands that the Sentencing Guidelines are  
28 advisory only, that defendant cannot have any expectation of

receiving a sentence within the calculated Sentencing Guidelines range, and that after considering the Sentencing Guidelines and the other § 3553(a) factors, the Court will be free to exercise its discretion to impose any sentence it finds appropriate up to the maximum set by statute for the crimes of conviction.

14. Defendant and the USAO agree to the following applicable Sentencing Guidelines factors:

<b><u>Base Offense Level:</u></b>	<b>30</b>	USSG § 2D1.1(a)(5), (c)(5) (offenses involved a total Converted Drug Weight of more than 1,000 KG, but less than 3,000 KG, namely, <b>1,246.7 KG</b> of Converted Drug Weight) <sup>2</sup>
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**Offense Characteristics**

Firearm was Possessed:	<b>+2</b>	USSG § 2D1.1(b)(1)
Distributed controlled substances through mass-marketing by means of interactive computer service:	<b>+2</b>	USSG § 2D1.1(b)(7) (use of Snapchat accounts to advertise drugs for sale)

Defendant and the USAO reserve the right to argue that additional specific offense characteristics, adjustments, and departures under the Sentencing Guidelines are appropriate. Defendant understands that defendant's offense level could be increased if defendant is a "career offender" under U.S.S.G. §§ 4B1.1 and 4B1.2. If defendant's

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<sup>2</sup> The calculation of "Converted Drug Weight" is based on all fentanyl and cocaine seized from defendant in connection with the charged offenses, including "relevant conduct" pursuant to USSG § 1B1.3. The total amount of fentanyl is 496.19 grams, which, when multiplied by 2,500 grams, produces a Converted Drug Weight of 1,240,475 grams or 1,240.47 KG. The total amount of cocaine is 31.2 grams, which, when multiplied by 200 grams, produces a Converted Drug Weight of 6,240 grams or 6.24 KG. (Note: The multipliers used to calculate the Converted Drug Weights are in USSG § 2D1.1, Application Note 8(D).)

1 offense level is so altered, defendant and the USAO will not be  
2 bound by the agreement to Sentencing Guideline factors set forth  
3 above in this paragraph.

4 15. The parties have no agreement as to defendant's criminal  
5 history or Criminal History Category.

6 16. Subject to the mandatory minimum (if applicable),  
7 defendant reserves the right to argue for a sentence below the  
8 advisory sentencing range established by the Sentencing Guidelines  
9 based on the factors set forth in 18 U.S.C. § 3553(a). Likewise,  
10 and because the Court is not bound to accept its sentencing  
11 recommendation, the USAO reserves, without limitation, the right to  
12 make any and all arguments in support of the sentencing  
13 recommendation it has promised to make in Paragraph 3(d) hereof,  
14 including the citation of aggravating facts and regardless whether  
15 those facts are then known to the Court. The USAO also reserves the  
16 right to make any and all arguments in opposition to a defense  
17 request for, or United States Probation Office recommendation of,  
18 any sentence below the USAO's sentencing recommendation.

19 **WAIVER OF CONSTITUTIONAL RIGHTS**

20 17. Defendant understands that, by pleading guilty, defendant  
21 gives up the following rights:

22 (a) The right to persist in a plea of not guilty.

23 (b) The right to a speedy and public trial by jury.

24 (c) The right to be represented by counsel -- and if  
25 necessary have the Court appoint counsel -- at  
26 trial. (Defendant understands, however, that,  
27 defendant retains the right to be represented by  
28 counsel -- and if necessary have the Court

1 appoint counsel -- at every other stage of the  
2 proceeding.)

3 (d) The right to be presumed innocent and to have the  
4 burden of proof placed on the government to prove  
5 defendant guilty beyond a reasonable doubt.

6 (e) The right to confront and cross-examine witnesses  
7 against defendant.

8 (f) The right to testify and to present evidence in  
9 opposition to the charges, including the right to  
10 compel the attendance of witnesses to testify.

11 (g) The right not to be compelled to testify, and, if  
12 defendant chose not to testify or present  
13 evidence, to have that choice not be used against  
14 defendant.

15 (h) Any and all rights to pursue any affirmative  
16 defenses, Fourth Amendment or Fifth Amendment  
17 claims, and other pretrial motions that have been  
18 filed or could be filed.

19 **WAIVER OF APPEAL OF CONVICTION**

20 18. Defendant understands that, with the exception of an  
21 appeal based on a claim that defendant's guilty pleas were  
22 involuntary, by pleading guilty defendant is waiving and giving up  
23 any right to appeal defendant's conviction on the offenses to which  
24 defendant is pleading guilty. Defendant understands that this  
25 waiver includes, but is not limited to, arguments that the statute  
26 to which defendant is pleading guilty is unconstitutional, and any  
27 and all claims that the statement of facts provided herein is  
28 insufficient to support defendant's pleas of guilty.

**LIMITED MUTUAL WAIVERS OF APPEAL OF SENTENCE**

19. Defendant agrees that, provided the Court imposes a total term of imprisonment that is within or below the Sentencing Guidelines range corresponding to Total Offense Level 31 and the Criminal History Category calculated by the Court, defendant gives up the right to appeal all of the following: (a) the term of imprisonment imposed by the Court; (b) the procedures and calculations used by the Court to determine and impose the term of imprisonment; and (c) to the extent permitted by law, the constitutionality or legality of defendant's sentence, provided it is within the statutory maximum. Defendant also waives and gives up the right to appeal all of the following other portions of the sentence: (a) the fine imposed by the Court, provided it is within or below the applicable Guidelines range set forth in USSG § 5E1.2; (b) the term of supervised release imposed by the Court, provided it is within the statutory maximum; and (c) any of the following conditions of supervised release imposed by the Court: (i) the conditions set forth in Second Amended General Order 20-04 of this Court; (ii) the drug-testing conditions mandated by 18 U.S.C. §§ 3563(a)(5) and 3583(d); (iii) the alcohol and drug use conditions authorized by 18 U.S.C. § 3563(b)(7); (iv) the search-condition in Paragraph 2(h) of this Agreement; and (v) any other condition to which defendant does not object at or before sentencing.

20. The USAO agrees that it gives up its right to appeal any portion of the sentence, provided all portions of the sentence are within the statutory minimums and maximums specified above, and the Court imposes a total term of imprisonment within or above the range

1 corresponding to Total Offense Level 31 and the Criminal History  
2 Category calculated by the Court.

3 **WAIVER OF COLLATERAL ATTACK**

4 21. Defendant also gives up any right to bring a post-  
5 conviction collateral attack on the conviction or sentence, except a  
6 post-conviction collateral attack based on a claim of ineffective  
7 assistance of counsel, newly-discovered evidence, or an explicitly  
8 retroactive change in the applicable Sentencing Guidelines,  
9 sentencing statutes, or statutes of conviction. Defendant  
10 understands that this waiver includes, but is not limited to,  
11 arguments that the statute to which defendant is pleading guilty is  
12 unconstitutional and any and all claims that the statement of  
13 Factual Basis contained herein is insufficient to support  
14 defendant's pleas of guilty.

15 **RESULT OF WITHDRAWAL OF GUILTY PLEA**

16 22. Defendant agrees that if, after entering guilty pleas  
17 pursuant to this Agreement, defendant seeks to withdraw and succeeds  
18 in withdrawing any of the guilty pleas on any basis other than a  
19 claim and finding that entry into this Agreement was involuntary,  
20 then the USAO will be relieved of all of its obligations under this  
21 Agreement.

22 **BREACH OF AGREEMENT**

23 23. Defendant agrees that if defendant, at any time after the  
24 Effective Date of this Agreement, knowingly violates or fails to  
25 perform any of defendant's obligations under this Agreement ("a  
26 breach"), the USAO may declare this Agreement breached. All of  
27 defendant's obligations are material, a single breach of this  
28 Agreement is sufficient for the USAO to declare a breach, and



1 defendant shall not be deemed to have cured a breach without the  
2 express agreement of the USAO in writing. If the USAO declares this  
3 Agreement breached, and the Court finds such a breach to have  
4 occurred, then: (a) if defendant has previously entered a guilty  
5 plea pursuant to this Agreement, defendant will not be able to  
6 withdraw the guilty pleas, and (b) the USAO will be relieved of all  
7 its obligations under this Agreement.

8 **COURT AND U.S. PROBATION OFFICE NOT PARTIES**

9 24. The Court and the United States Probation Office are not  
10 parties to this Agreement and need not accept any of the USAO's  
11 sentencing recommendations or the parties' agreements to facts or  
12 sentencing factors.

13 25. Defendant understands that even if the Court ignores any  
14 sentencing recommendation, finds facts or reaches conclusions  
15 different from those agreed to, and/or imposes any sentence up to  
16 the maximum established by statute, defendant cannot, for that  
17 reason, withdraw defendant's guilty pleas, and defendant will remain  
18 bound to fulfill all defendant's obligations under this Agreement.  
19 Defendant understands that no one — not the prosecutor, defendant's  
20 attorney, or the Court — can make a binding prediction or promise  
21 regarding the sentence defendant will receive, except that it will  
22 be within the statutory maximum.

23 26. Defendant understands that both defendant and the USAO are  
24 free to: (a) supplement the facts by supplying relevant information  
25 to the Court and the United States Probation Office, (b) correct any  
26 and all factual misstatements relating to the Court's Sentencing  
27 Guidelines calculations and determination of sentence, and (c) argue  
28 on appeal and collateral review that the Court's Sentencing

Guidelines calculations and the sentence it chooses to impose are not error, although each party agrees to maintain its view that the Guideline stipulations in Paragraph 14 are consistent with the facts of this case. While this paragraph permits both the USAO and defendant to submit full and complete factual information to the Court and the United States Probation Office, even if that factual information may be viewed as inconsistent with the facts agreed to in this Agreement, this paragraph does not affect defendant's and the USAO's obligations not to contest the facts agreed to in this Agreement.

**NO ADDITIONAL AGREEMENTS**

27. Defendant understands that, except as set forth herein, there are no promises, understandings, or agreements between the USAO and defendant or defendant's attorney, and that no additional promise, understanding, or agreement may be entered into unless in a writing signed by all parties or on the record in Court.

**EFFECTIVE DATE OF AGREEMENT**

28. This Agreement is effective upon signature and execution of all required certifications by defendant, defendant's counsel, and an Assistant United States Attorney.

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PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

29. The parties agree that this Agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED:

UNITED STATES ATTORNEY'S OFFICE  
FOR THE CENTRAL DISTRICT OF CALIFORNIA


E. MARTIN ESTRADA  
United States Attorney




ROBERT J. KEENAN  
Assistant United States Attorney

April 29, 2024

Date

  
ARNOLDO MERA  
Defendant

3-20-24  
Date

  
THOMAS S. GRUENBECK  
Attorney for Defendant

3-20-24  
Date

**CERTIFICATION OF DEFENDANT**

I have read this Agreement in its entirety. I have had enough time to review and consider the Agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this Agreement, and I voluntarily agree to those terms.

I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this Agreement.

No promises, inducements, or representations of any kind have been made to me other than those contained in this Agreement. No one has threatened or forced me in any way to enter into this Agreement. I am satisfied with the representation of my attorney in this matter, and I am pleading guilty because I am guilty of the charges and wish to take advantage of the promises set forth in this Agreement, and not for any other reason.

  
ARNOLDO MERAZ  
Defendant


3-20-24  
Date

**CERTIFICATION OF DEFENDANT'S ATTORNEY**

I am ARNOLDO MERAZ's attorney. I have carefully and thoroughly discussed every part of this Agreement with my client.

I have fully advised my client of his rights, of possible pre-trial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this Agreement.

To my knowledge: no promises, inducements, or representations of any kind have been made to my client other than those contained in this Agreement; no one has threatened or forced my client in any way to enter into this Agreement; my client's decision to enter into this Agreement is an informed and voluntary one; and the Factual Basis set forth in this Agreement is sufficient to support my client's entry of guilty pleas to the subject charges.

  
\_\_\_\_\_  
THOMAS S. GRUENBECK  
Attorney for Defendant

3-20-24  
\_\_\_\_\_  
Date

**Exhibit “A”**

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ARNOLDO MERAZ,  
  
Defendant.

Case No. 8:22-CR-184 (A) -JWH

F I R S T  
S U P E R S E D I N G  
I N F O R M A T I O N

[21 U.S.C. §§ 841(a)(1),  
(b)(1)(A)(vi), (b)(1)(B)(vi), and  
(b)(1)(C): Possession with Intent  
to Distribute Fentanyl and  
Cocaine]

The United States Attorney charges:

COUNT ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vi)]

On or about September 30, 2022, in Orange County, within the  
Central District of California, defendant ARNOLDO MERAZ knowingly and  
intentionally possessed with intent to distribute at least 400 grams,  
that is, approximately 436.6 grams, of N-phenyl-N-[1-(2-phenylethyl)-

1 4-piperidinyl] propanamide (also known as "fentanyl"), a Schedule II  
2 narcotic drug controlled substance.



COUNT TWO

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(vi)]

On or about November 28, 2022, in Orange County, within the Central District of California, defendant ARNOLDO MERAZ knowingly and intentionally possessed with intent to distribute at least 40 grams, that is, approximately 49.03 grams, of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (also known as "fentanyl"), a Schedule II narcotic drug controlled substance.

COUNT THREE

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

On or about December 5, 2022, in Orange County, within the Central District of California, defendant ARNOLDO MERAZ knowingly and intentionally possessed with intent to distribute cocaine, a Schedule II narcotic drug controlled substance.

COUNT FOUR

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

On or about December 19, 2022, in Orange County, within the Central District of California, defendant ARNOLDO MERAZ knowingly and intentionally possessed with intent to distribute N-phenyl-N-[1-(2-phenylethyl)-4-Piperidinyl] propanamide ("fentanyl"), a Schedule II narcotic drug controlled substance.

COUNT FIVE

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

On or about December 19, 2022, in Orange County, within the Central District of California, defendant ARNOLDO MERAZ knowingly and intentionally possessed with intent to distribute cocaine, a Schedule II narcotic drug controlled substance.

E. MARTIN ESTRADA  
United States Attorney

MACK E. JENKINS  
Assistant United States Attorney  
Chief, Criminal Division

BENJAMIN R. BARRON  
Assistant United States Attorney  
Chief, Santa Ana Branch Office

JENNIFER L. WAIER  
Assistant United States Attorney  
Deputy Chief, Santa Ana Branch  
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ROBERT J. KEENAN  
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